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So ordered. The parties shall submit a proposed schedule, including a proposed date for the initial conference, by October 18, 2023.

/s/ Alvin Hellerstein

U.S.D.J.

September 27, 2023

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Re: *Comcast Cable Communications Management, LLC, et al. v. MaxLinear, Inc., et al.*, No. 23-cv-04436

The Honorable Alvin K. Hellerstein
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 14D
New York, NY 10007

Dear Judge Hellerstein:

We represent Plaintiffs Comcast Cable Communications Management, LLC and Comcast Cable Communications, LLC (together, “Comcast”) in the above-referenced action. We write jointly with counsel for Defendant MaxLinear, Inc. (“MaxLinear”) to respectfully request that the Court adjourn the initial conference, currently scheduled for Friday, September 29, 2023, at 10:00 a.m. Eastern.

As the Court is aware, Comcast filed its Complaint in this action on May 26, 2023, asserting counts for breach of contract and declaratory judgment against MaxLinear (ECF No. 1), and filed an Application for a Preliminary Injunction and Temporary Restraining Order (the “Application”) on May 30, 2023 (ECF Nos. 7–18). On September 12, 2023, Comcast and MaxLinear filed a stipulation to resolve Comcast’s Application, which the Court so-ordered. (See ECF No. 68.) Prior to resolution of Comcast’s Application, the parties also had agreed that the time for MaxLinear to answer or otherwise respond to the Complaint was extended until October 12, 2023. (ECF. No. 34.)

On September 22, 2023, Comcast filed a First Amended Complaint (“FAC”) (ECF No. 70), which, among other things, asserts two additional counts against MaxLinear and adds claims against defendant Entropic Communications, LLC (“Entropic”). In light of the filing of the FAC, Comcast and MaxLinear jointly request that the Court adjourn the initial conference. This is the first request for adjournment of the initial conference. Comcast and MaxLinear further agree that they will hold their initial Rule 26(f) conference in the next few weeks and thereafter will propose to the Court dates for the initial conference, subject to the Court’s availability.

MaxLinear also requests that the Court adjourn its deadline to answer or otherwise respond to the initial Complaint, to which Comcast has no objection. Comcast and MaxLinear presently are conferring about a proposed schedule for MaxLinear’s response to the FAC and will confer with Entropic as well once Entropic is served.

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The Honorable Alvin K. Hellerstein

Comcast and MaxLinear are available to provide any additional information that would be helpful to the Court and thank the Court for its consideration of and attention to this matter.

Respectfully submitted,

/s/ Atif Khajawa
Atif Khawaja
Counsel for Defendant MaxLinear

Respectfully submitted,

/s/ Dana M. Seshens
Dana M. Seshens
Counsel for Plaintiffs

cc: All Counsel of Record (via ECF)

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